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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

STATE OF ARIZONA,

Plaintiff,

v.

CHARLES BRUCE FERGUSON (001),

Defendant.

Case No:

64 SGJ

INDICTMENT

CHARGING VIOLATIONS OF:

**COUNT 1: FRAUDULENT SCHEMES
AND ARTIFICES**, a Class 2 Felony, in
violation of A.R.S. § 13-2310

COUNT 2: MONEY LAUNDERING, a
Class 3 Felony, in violation of 13-2317

COUNTS 3-7: THEFT, Class 3 Felonies, in
violation of A.R.S. § 13-1802(A)(1)

COUNTS 8-12: FORGERY, a Class 4
Felony, in violation of A.R.S. § 13-
2002(A)(1)

**COUNTS 13-14: TAKING IDENTITY
OF ANOTHER PERSON**, a Class 4
Felony, in violation of A.R.S. § 13-2008(A)

COUNTS 15-31: THEFT, Class 2 Felonies,
in violation of A.R.S. § 13-1802(A)(1)

The Arizona State Grand Jury accuses defendant, CHARLES BRUCE FERGUSON, charging on this day of January, 2009, that in or from Maricopa County, Arizona:

COUNT 1

FRAUDULENT SCHEMES AND ARTIFICES

Between the approximate dates of September 1, 2008 and November 1, 2008, Defendant, CHARLES BRUCE FERGUSON, pursuant to scheme or artifice to defraud, knowingly obtained a benefit from James Garrick, Howard Gengerke, Nunzio Bruno, Chad Gilliam, Alan Watson, Joseph Miller, Sasha Lahrs, Ross Turner, Pamela DeCatur, Donald Cherry, Rayan Lakshmanan, J. David Wiltshire, Reggie Harris, Christopher Mitchell Sr., Calvin Jackson, Chris Aguwa, Thomas Beer, and Mindy Baransky by means of fraudulent pretenses, representation, promises, or material omissions, in violation of A.R.S. §§ 13-2310, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 2

MONEY LAUNDERING

Between the approximate dates of August 1, 2008 and January 1, 2009, Defendant, CHARLES BRUCE FERGUSON, acquired or maintained an interest in, transacted, transferred, transported, received or concealed the existence or nature of racketeering proceeds, knowing or having reason to know that the money was the proceeds of an offense, in violation of A.R.S. §§ 13-2317, 13-2301, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-702.01.

COUNT 3

THEFT

On or about February 16, 2006, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled funds of Ed Reyes and Kristina Reyes, of a value of \$4,000 or more but less than \$25,000, with the intent to deprive Ed Reyes and Kristina Reyes of such property, in violation of

A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 4

THEFT

On or about February 16, 2006, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled funds of Salina Salazar, of a value of \$4,000 or more but less than \$25,000, with the intent to deprive Salina Salazar of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 5

THEFT

On or about February 16, 2006, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled funds of Eric Salazar, of a value of \$4,000 or more but less than \$25,000, with the intent to deprive Eric Salazar of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 6

THEFT

On or about August 26, 2007, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled funds of Albert Gojcaj, of a value of \$4,000 or more but less than \$25,000, with the intent to deprive Albert Gojcaj of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 7

THEFT

On or about September 25, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled funds of Chad Gilliam, of a value of \$4,000 or more but less than \$25,000, with the intent to deprive Chad Gilliam of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 8

FORGERY

On or about February 1, 2006, Defendant, CHARLES BRUCE FERGUSON, with intent to defraud, falsely made, completed or altered a fax cover sheet from First American Title Insurance Company, a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 9

FORGERY

On or about September 29, 2008, Defendant, CHARLES BRUCE FERGUSON, with intent to defraud, falsely made, completed or altered a Wiring and Escrow Instructions agreement from Chad Gilliam, a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 10

FORGERY

On or about September 29, 2008, Defendant, CHARLES BRUCE FERGUSON, with intent to defraud, falsely made, completed or altered a Wiring and Escrow Instructions

agreement from Joseph Miller, a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 11

FORGERY

On or about October 23, 2008, Defendant, CHARLES BRUCE FERGUSON, with intent to defraud, falsely made, completed or altered a Wiring and Escrow Instructions agreement from Mindy Baransky, a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 12

FORGERY

On or about October 23, 2008, Defendant, CHARLES BRUCE FERGUSON, with intent to defraud, falsely made, completed or altered an Escrow Release from Mindy Baransky, a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 13

TAKING IDENTITY OF ANOTHER PERSON

On or about February 1, 2006, Defendant, CHARLES BRUCE FERGUSON, with the intent to obtain, use, sell or transfer the identity of another person for any unlawful purpose, knowingly took, used, sold or transferred any personal identifying information of another person, namely: Thomas Siebal, without that person's consent, in violation of A.R.S. §§ 13-2008(A), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 14

TAKING IDENTITY OF ANOTHER PERSON

On or about November 19, 2008, Defendant, CHARLES BRUCE FERGUSON, with the intent to obtain, use, sell or transfer the identity of another person for any unlawful purpose, knowingly took, used, sold or transferred any personal identifying information of another person, namely: Elizabeth Koberstein, without that person's consent, in violation of A.R.S. §§ 13-2008(A), 13-2001, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 15

THEFT

On or about October 10, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of James Garrick, of a value of \$25,000 or more with the intent to deprive James Garrick of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 16

THEFT

On or about October 10, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Howard Gengerke, of a value of \$25,000 or more with the intent to deprive Howard Gengerke of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 17

THEFT

On or about September 29, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Nunzio Bruno, of a value of \$25,000 or more with the intent to deprive Nunzio Bruno of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 18

THEFT

On or about September 22, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Alan Watson, of a value of \$25,000 or more with the intent to deprive Alan Watson of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 19

THEFT

On or about September 29, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Joseph Miller, of a value of \$25,000 or more with the intent to deprive Joseph Miller of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 20

THEFT

On or about September 24, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Sasha Lahrs, of a value of \$25,000 or more with the intent

to deprive Sasha Lahrs of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 21

THEFT

On or about October 14, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Ross Turner, of a value of \$25,000 or more with the intent to deprive Ross Turner of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 22

THEFT

On or about October 23, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Pamela DeCatur, of a value of \$25,000 or more with the intent to deprive Pamela DeCatur of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 23

THEFT

On or about October 28, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Donald Cherry, of a value of \$25,000 or more with the intent to deprive Donald Cherry of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 24

THEFT

On or about September 24, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Rayan Lakshmanan, of a value of \$25,000 or more with the intent to deprive Rayan Lakshmanan of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 25

THEFT

On or about October 1, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of J. David Wiltshire, of a value of \$25,000 or more with the intent to deprive J. David Wiltshire of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 26

THEFT

On or about September 22, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Reggie Harris, of a value of \$25,000 or more with the intent to deprive Reggie Harris of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 27

THEFT

On or about October 15, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Christopher Mitchell Sr., of a value of \$25,000 or more with the intent

to deprive Christopher Mitchell Sr. of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 28

THEFT

On or about September 22, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Calvin Jackson, of a value of \$25,000 or more with the intent to deprive Calvin Jackson of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 29

THEFT

On or about September 18, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Chris Aguwa, of a value of \$25,000 or more with the intent to deprive Chris Aguwa of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 30

THEFT

On or about September 19, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Thomas Beer, of a value of \$25,000 or more with the intent to deprive Thomas Beer of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

COUNT 31

THEFT

On or about October 23, 2008, Defendant, CHARLES BRUCE FERGUSON, knowingly controlled investment of Mindy Baransky, of a value of \$25,000 or more with the intent to deprive Mindy Baransky of such property, in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801.

Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described above were committed in Maricopa County, Arizona.

(A "True Bill")

TERRY GODDARD
ATTORNEY GENERAL
STATE OF ARIZONA

Dated: _____

ANDREI CHERNY
Assistant Attorney General

Foreperson of the State Grand Jury

PHX-#368090-v1